

AMENDMENT NO. _____ Calendar No. _____

Purpose: To protect access for America's wounded warriors.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

H. R. 4872

AMENDMENT NO. 3644

To By HATCH - OTHERS e con-
To: H.R. 4872 2010

R 2 and
Page(s)

GPO: 2008 45-500 (mar)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. HATCH & Mr. COBURN
& Mr. CRAPO

Viz:

- 1 On page 99, between lines 9 and 10, insert the fol-
- 2 lowing:
- 3 (e) EXCLUSION OF MEDICAL DEVICES SOLD UNDER
- 4 THE TRICARE FOR LIFE PROGRAM OR VETERAN'S
- 5 HEALTH CARE PROGRAMS.—
- 6 (1) IN GENERAL.—For purposes of section
- 7 4191(b)(1) of the Internal Revenue Code of 1986, as
- 8 added by subsection (a), the term “taxable medical
- 9 device” shall not include any device which is sold to
- 10 individuals covered under the TRICARE for Life

1 program or the veteran's health care program under
2 chapter 17 of title 38, United States Code, any por-
3 tion of the cost of which is paid or reimbursed under
4 either such program.

5 (2) EXPANSION OF AFFORDABILITY EXCEPTION
6 TO INDIVIDUAL MANDATE.—Section 5000A(e)(1)(A)
7 of the Internal Revenue Code of 1986, as added by
8 section 1501(b) of the Patient Protection and Af-
9 fordable Care Act and amended by section 10106 of
10 such Act, is amended by striking “8 percent” and
11 inserting “5 percent”.

12 (3) APPLICATION OF PROVISION.—The amend-
13 ment made by paragraph (2) shall apply as if in-
14 cluded in the Patient Protection and Affordable
15 Care Act.